

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ATTILA BIBER, individually and on behalf of all others similarly situated, Plaintiff, vs. PIONEER CREDIT RECOVERY, INC., Defendant.	Case No. 16-CV-804 (TSE/IDD)
ATTILA BIBER and SANDRA LEVY, individually and on behalf of all others similarly situated, Plaintiff, vs. GENERAL REVENUE CORPORATION, Defendant.	Case No. 17-CV-205 (TSE/MSN)
SARA KOZAK, formerly known as SARA LEMKE and SARA AZZALINE, individually and on behalf of all others similarly situated, Plaintiff, vs. PIONEER CREDIT RECOVERY, INC., Defendant.	Case No. 17-CV-797 (TSE/TCB)

JOINT PRAECIPE REGARDING CLASS SETTLEMENT

Pursuant to the Court’s July 14, 2017 instruction, Plaintiffs Attila Biber, Sandra Levy, and Sara Kozak (collectively, “Plaintiffs”) and Defendants Pioneer Credit Recovery, Inc. and General Revenue Corporation (“collectively, “Defendants”), by and through their respective

counsel, hereby submit this Joint Praecipe regarding Plaintiffs' Motion for Preliminary Approval of Class Settlement. ECF No. 84.¹ Accordingly, the parties hereby jointly state as follows.

1. On July 10, 2017, Plaintiffs filed their Motion for Preliminary Approval of Class Settlement. ECF No. 84.

2. The hearing on Plaintiffs' Motion for Preliminary Approval of Class Settlement was held on July 14, 2017.

3. At the July 14, 2017 hearing, the Court directed the parties to make certain revisions to the proposed Class Notice and Claim Form that the parties propose to send to class members. ECF No. 85-12. The Court further directed the parties to file a revised Class Notice and Claim Form by Wednesday, July 19, 2017.

4. The revised Class Notice and Claim Form is attached hereto as Exhibit A. The revised Class Notice and Claim Form differs from the originally-filed Class Notice and Claim Form in the following ways.

- a. The portions of the letters attached as exhibits to the Class Notice and Claim Form that sets forth the amount allegedly owed by each named Plaintiff is redacted. *See* Ex. A at 10-11, 13, 15, 18.
- b. A statement advising absent class members of their individual rights under the Fair Debt Collection Practices Act ("FDCPA") has been included. The statement advises absent class members as follows: "In an individual FDCPA action, the person bringing the suit may recover: (1) any actual damages sustained by the person as a result of any proven violation, (2) statutory damages as the court may

¹ As used herein, citation to docket entries refers to the docket in *Biber v. Pioneer Credit Recovery, Inc.*, No. 1:16-cv-00804 (E.D. Va.).

allow, but not exceeding \$1,000, and (3) in the case of a successful action, reasonable attorneys' fees and costs." *Id.* at 6.

- c. A statement advising absent class members of the recovery that an individual class member can be expected to recover if fifty percent (50%) of the class members timely file a claim has been included. The germane portion of the Claim Form now advises absent class members as follows: "If you and 10% of the 217,815 class members submit claim forms asserting that they were working or seeking work when they were sent a letter by Pioneer or General Revenue, you can expect to receive at least approximately \$69. If you and 50% of the 217,815 class members submit claim forms asserting that they were working or seeking work when they were sent a letter by Pioneer or General Revenue, you can expect to receive at least approximately \$13. If more class members submit claim forms, you may receive less money." *Id.* at 20.
- d. The size of the class has been reduced as a result of removing duplicates for class members who received the at-issue letter from both defendants. The result is that the expected recovery per an individual class member is now higher than the expected recovery originally set forth in Plaintiffs' July 10, 2017 Motion for Preliminary Approval of Class Settlement. ECF No. 84; *compare* ECF No. 85-12 at 20 *with* Ex. A at 20.

Dated: July 19, 2017

Respectfully submitted,

/s/

Deborah J. Israel (VA Bar No. 32378)
Louis J. Rouleau (admitted *pro hac vice*)
Alexander P. Rothschild (VA Bar No. 90466)
Womble Carlyle Sandridge & Rice, LLP
1200 Nineteenth Street, NW, Suite 500
Washington, DC 20036
Telephone: (202) 857-4466
Facsimile: (202) 261-0034
Email: disrael@wcsr.com
lrouleau@wcsr.com

*Counsel for Defendants Pioneer Credit Recovery,
Inc. and General Revenue Corporation*

/s/

Brian L. Bromberg
Jonathan R. Miller
Bromberg Law Office, P.C.
26 Broadway, 21st Floor
New York, NY 10004
Telephone: (212) 248-7906
Facsimile: (212) 248-7908
Email: brian@bromberglawoffice.com
jonathan@bromberglawoffice.com

/s/

Thomas R. Breeden, Esq.
Thomas R. Breeden, P.C.
10326 Lomond Drive
Manassas, VA 20109
Telephone: (703) 361-9277
Facsimile: (703) 257-2259
Email: trb@tbreedenlaw.com

/s/

Dale W. Pittman
Law Office of Dale W. Pitman, P.C.
The Eliza Spotswood House
112-A West Tabb Street
Petersburg VA 23803
Tel: (804) 861-6000
Fax: (804) 861-3368
Email: dale@pitmanlawoffice.com

*Counsel for Plaintiffs Attila Biber, Sandra Levy,
and Sara Kozak*

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of July, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Thomas R. Breeden, Esq.
Thomas R. Breeden, P.C.
10326 Lomond Drive
Manassas, VA 20109
Email: trb@tbreedenlaw.com

Brian L. Bromberg
Jonathan R. Miller
Bromberg Law Office, P.C.
26 Broadway, 21st Floor
New York, NY 10004
Email: brian@bromberglawoffice.com
jonathan@bromberglawoffice.com

Dale W. Pittman
Law Office of Dale W. Pitman, P.C.
The Eliza Spotswood House
112-A West Tabb Street
Petersburg VA 23803
Tel: (804) 861-6000
Fax: (804) 861-3368
Email: dale@pitmanlawoffice.com

Counsel for Plaintiffs Attila Biber, Sandra Levy, and Sara Kozak

/s/
Deborah J. Israel